than Rs. 2,000 and that Regulation IX of 1090 required the parties to apply to the District Court for obtaining succession certificates without regard to the amount for the realisation of which they were applied for. The parties had in many cases to travel long distances and incur additional expenditure under process fees and vakil's fees. Again, a party who had to appeal against the order of the District Court had to prefer it to the High Court at considerable trouble and expense. In Section 26 of the British Indian Act, VII of 1889, provision was made to invest courts inferior to District Courts with the functions of a District Court under the Act and also to confer the appellate powers, which ordinarily lay in the High Court, on the District Court. The Munsiff's Courts and the District Courts had accordingly been invested with the original and appellate powers in British India under that Act. The same course was adopted in Cochin also. The Travancore Regulation also contained the same enabling provision in Section 27 and all that had to be done was to take action under the section. The Member therefore requested that all the Munsiffs of the State might be invested with the power of granting succession certificates under the Regulation.

Dewan's reply.—The Government are in sympathy with what the Member says. Though it may not be desirable to invest *all* the Munsiffs with the powers of a District Judge under the Regulation immediately, it is necessary to invest some at least of the Munsiffs with the power. A few select Munsiffs will be invested with this jurisdiction, in consultation with the High Court.

51. Necessity for raising the pecuniary jurisdiction of the Devicolam District Munsiff.

Mr A. J. Wright (Member, Kannan Devan Planters' Association) said that the subject was brought up by him at the last session of the Assembly and, in the Government order on his representation of 1087 it was said that the High Court deemed it inexpedient to raise the pecuniary jurisdiction of the Devicolam Munsiff. The Member requested that copies of such decisions of the latter court also, before the Assembly, and the probable reasons for that view might be the want of precedent and the additional cost. As for the precedent, he referred to the Civil Courts' Act, XII of 1887, relating to the special jurisdiction of certain officers in Bengal, North West Provinces and Assam and said that it recognised the principle and provided for doubling the Special Munsiff's pecuniary jurisdiction by a notification. Similarly, the Devicolam Munsiff might be made a Special Munsiff and given special jurisdiction. It might be necessary to transfer a higher grade Munsiff to Devicolam for the purpose, but the present Munsiff was still at the disposal of Government and no new man had to be appointed.

Dewan.—It is not a question of cost. Apparently, what the High Court thought was, and I believe they were right, that, with the special jurisdiction you suggest, a senior Munsiff will necessarily have to be sent there because it involves greater responsibility, and there will not be work enough for the officer.

The Member then said that more than 25,000 coolies were recruited from British India for work in the Estates and the advance to them amounted to more than three lakhs of rupees. The only security the Planters now had was the security afforded by civil courts. It took four days to go to the Parur District Court and the batta for a first class witness would come to Rs. 120. It was therefore impracticable for them to go to Parur. The next alternative was either to advance sums less than Rs. 2,000 to each contractor of coolies or to forego the sums in excess of Rs. 2,000 in filing suits in the Munsiff's Court to bring them within its jurisdiction. The first of the alternatives could not be adopted as that would reduce the number of coolies available. The second was therefore often resorted to and on that account, they had to forego, during the past six years, Rs. 8,731 in suits or nearly 25 % of the value of those suits. The fact that such a large sum was relinquished was conclusive proof of their hardships.

Another difficulty was in respect of cardamom lands. The annual profit from an acre of cardamom lands being taken at the lowest at Rs. 500, suits could now be brought only in respect of four acres of land. Consequently, very few property suits could now be instituted by the Planters.

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Labour contractors and cardamom ryots were almost entirely residents in British India and if they got beyond the Travancore frontier, it was very difficult to serve summons on them, and more so to compel them to appear in the court situated at Parur at a distance of 90 miles.

The Member also added that the absence of a District Court in the Devicolam Division, with an area of 625 square miles, was itself a unique circumstance. In view of the above facts, he requested that the Government might be pleased to reconsider the matter and grant them the much-needed relief.

Dewan's reply.—The Government will consider the question again.

The Assembly adjourned at 5-20 P. M.

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